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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/663,354	09/15/2000	Atsushi Misawa	0879-0273P	1844

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EXAMINER

VU, NGOC YEN T

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 07/09/2003

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/663,354

Applicant(s)
Atsushi MISAWA

Examiner
Ngoc-Yen Vu

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2612



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 30, 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-15 ~~is~~/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-15 ~~is~~/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ | 6) <input type="checkbox"/> Other: |

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Response to Arguments

1. Applicant's arguments filed 04/30/2003 have been fully considered but they are not persuasive.

With respect to the Wakui '816 reference, the Applicants argue that the invention set forth in Wakui discloses storing data on IC memory card 31 when the record mode setting command signal is input to the system controller 2 in accordance with the operation of a mode selection switch. The Applicants further argue that Wakui does not teach or suggest automatically transferring image data from the built-in memory to the detachable memory card upon detecting an insertion of a memory card. The Examiner respectfully disagrees. As discussed in the previous Office action (mailed 01/31/03), Wakui '816 teaches a still video camera having a built-in memory (image memory 7) for storing image data, a detachable memory card (31) for storing image data, an insertion slot for receiving said detachable memory card, and detecting means (detecting circuit 16) for detecting the insertion of said detachable memory card into said insertion slot (col. 4 line 48 - col. 6 line 32). In column 10, lines 26-64, Wakui teaches that when a record mode setting command signal is input to the system controller 2 in accordance with the operation of the mode selection switch by an operator, the digital signals pass through a first data selector (6) and are stored in the built-in image memory (7). Wakui further teaches that if the terminal of the IC memory card (31) is correctly connected to the camera, the digital image signals are read from the built-in memory (7) to be recorded in the IC memory card (31) at predetermined addresses. Wakui explicitly teaches in column 8, lines 12-20, that even if a mode

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selection switch is not actuated, when the IC memory card (31) is inserted in, or withdraw from, the loading portion (17), any one of the three mode setting command signals is input to the system controller. In column 19, lines 15-64, Wakui also teaches an interruption routine which allows image data written in the built-in image memory (7) to be read therefrom and is recorded in the IC memory card (31). The teaching in Wakui shows that a record mode setting command signal is input to the system controller (2) according to the operation of the mode selection switch by an operator (col. 10 lines 26-31) or when the IC memory card (31) is inserted in, or withdraw from, the loading portion (17) (col. 8 lines 12-20; col. 19 lines 15-22, lines 58-64). The Examiner maintains that Wakui '816 does teach automatically transferring image data from the built-in memory (7) to the detachable memory card (31) upon detecting an insertion of a memory card according to a record mode setting command signal which is input to the system controller (2).

In view of the above, the Examiner believes that the broadest interpretation of the present claimed invention does in fact read on the cited references for at least the reasons discussed above and as stated in the detail Office Action as follows.

This Office action is now made final.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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3. Claims 6, 7, 9 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasson et al. (US #5,016,107) in view of Wakui (US #5,648,816).

Regarding claim 6, Sasson '107 teaches a digital camera for capturing images (see Fig. 1A), comprising:

a built-in memory (image buffer 18) for storing a plurality of images in the form of image data, said built-in memory being provided in a camera body (col. 3 line 60 - col. 4 line 38; col. 5 lines 2-23);

a detachable memory card (24) for storing image data, said detachable memory card having a larger storage capacity than said built-in memory (col. 5 line 32 - col. 7 line 16);

an insertion slot (connector 26) for receiving said detachable memory card (Fig. 1A);

detecting means (control processor 20 and card diagnostic 31) for detecting insertion of said detachable memory card in said insertion slot (col. 5 lines 38-56); and

memory control means (processor 20 and digital signal processor 22) for transferring image data from said built-in memory to said detachable memory card upon detecting the mounting of the memory card (col. 5 line 23 - col. 7 line 16).

Claim 6 differs from Sasson in that the claim further requires memory control means for automatically transferring the image data from said built-in memory to said detachable memory card upon said detecting means detecting said insertion. Although Sasson fails to teach that the image data stored in the image buffer (18) is automatically transferred to the memory card (24) upon the processor (20) detects the insertion of the memory card, Sasson teaches that the image

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data stored in the image buffer (18) is automatically compressed and transferred to the memory card (24) when the image buffer (18) is full (col. 5 line 38 - col. 7 line 16). However, the limitation is well known in the art as shown in Wakui '816.

In the same field of endeavor, in figure 1, Wakui '816 teaches a digital camera having a built-in memory (image memory 7) for storing image data, a detachable memory card (31) for storing image data, an insertion slot for receiving said detachable memory card, and detecting means (detecting circuit 16) for detecting the insertion of said detachable memory card into said insertion slot (col. 4 line 48 - col. 6 line 32). Wakui '816 further teaches that the digital image signals stored in the image memory (7) are automatically transferred to the memory card (31) when the memory card (31) is correctly connected to the camera (col. 8 lines 12-20; col. 10 lines 26-64; col. 19 lines 15-27, 58-64). In light of the teaching from Wakui '816 and the desire of Sasson to automatically transfer image data from a built-in memory (18) to a memory card (24), it would have been obvious to one skilled in the art to modify the digital camera taught in Sasson by allowing image data stored in the built-in memory to be automatically transferred to the detachable memory card upon detecting the insertion of the memory card so as to simplify the operation of storing image data in the detachable memory card.

As to claim 7, Sasson '107 teaches that the built-in memory (18) is initialized to allow for new image capturing upon said memory control means automatically transferring said image data (col. 5 line 2 - col. 6 line 52).

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As to claims 9 and 13, Sasson '107 teaches said detachable memory card (24) is mainly for attachment when the digital camera is not being used to capture images and normally detached when the digital camera is being used to capture images (col. 2 line 45 - col. 3 line 3; col. 3 line 60 - col. 4 line 38).

Regarding claims 14 and 15, the subject matter in claims 14 and 15 can be found in claims 6 and 13. Therefore, claims 14 and 15 are analyzed and rejected as previously discussed with respect to claims 6 and 13. It is noted that both Sasson '107 and Wakui '816 teach that the detachable memory card has a larger storage capacity than the built-in memory.

4. Claims 8, 10, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasson '107 and Wakui '816, as applied to claim 6 above, and further in view of Watanabe (US #4,887,161).

As to claims 10, 11 and 12, the claims differ from Sasson '107, as modified by Wakui '816, in that they require said detachable memory card is partially exposed so that a user can grasp the memory card by the exposed part to detach said memory card from said camera body, wherein when said detachable memory card is inserted into the insertion slot, more than 1/3 of said detachable memory card is exposed in an insertional direction of said detachable memory card.

In the same field of endeavor, Watanabe '161 teaches a digital camera (10) having a detachable memory card (20) wherein more than 1/3 of the memory card is exposed in an

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insertional direction of the memory card (Figs. 1-3), and the memory card is partially exposed so that a user can grasp the memory card by the exposed part with fingers to detach said memory card from said camera body (col. 3 lines 42+). In light of the teaching of Watanabe, it would have been obvious to one skilled in the art to have the memory card shown in Sasson '107 and Wakui '816 be partially exposed allowing the user to detach the memory card from the camera so as to eliminate the need to have a rejecting mechanism for the memory card, thus reducing the size and weight of the digital camera.

As to claim 8, the claim differs from Sasson '107, as modified by Wakui '816, in that the claim requires that the camera body in an insertional direction of said memory card is shorter than said memory card in the insertional direction of said memory card. Watanabe shows that the camera body in an insertional direction of said memory card is the same as said memory card in the insertional direction of said memory card. Since it is highly desirable for the memory card to be easily and readily removed from the camera body, it would have been obvious to one skilled in the art to have the memory card shown in Sasson '107, Wakui '816 and Watanabe '161 longer than the camera body.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any response to this office action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

(for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington.

VA., Sixth Floor (Receptionist).

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Ngoc-Yen Vu** whose telephone number is (703) 305-4946. The examiner can normally be reached on Mon. - Fri. from 8:00 a.m. to 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reached on (703) 305-4929.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

NYV
07/07/2003


NGOC-YEN VU
PRIMARY EXAMINER
Group Art Unit 2612